

*UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS*

CIVIL ACTION No. 05-10470 MLW

PETER TINKHAM, JULIET ALEXANDER and
SAMANTHA TINKHAM,

Plaintiffs,

v.

DOREEN R. KELLY, BARRY L. MINTZER, JEAN
CURTIS LOUD, ROBERT L. DOYLE, DONNA
KYED, MARGARET VERRET, JOAN
BERNHEIMER, JUDI ALBERTON, CLAIRE
JACKSON, ERIN L. SENGES, BARBARA A.
HAWKES-SULLIVAN, BARNEY KEEZELL,
STEPHANIE THOMAS, ERICA COHEN and
KENNETH PONTES,

Defendants.

**MOTION OF SCHOOL DEFENDANTS TO EXTEND THE TIME WITHIN WHICH
THEY MAY REPLY TO PLAINTIFFS' OBJECTIONS TO MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS BY THREE (3) DAYS –
ASSENTED TO**

The defendants, Doreen R. Kelly; Barry L. Mintzer, Esq.; Dr. Jean Curtis Loud; Dr. Robert L. Doyle; Judith M. Alberton; Dr. Claire W. Jackson; Dr. Joan Bernheimer; Margaret Verret, R.N.; and Donna Kyed (hereinafter the "School defendants"), hereby move for leave to extend the time within which they may reply, under Fed. R. Civ. P. 72(b), to plaintiffs' Objections to Magistrate Judge Alexander's Report and Recommendations, by an additional three (3) days, up to and including March 2, 2006. As grounds therefor, the School defendants state as follows:

1. The School defendants' failure to file a timely reply to plaintiffs' Objections was due

to mistake, inadvertence or excusable neglect, in that defense counsel, upon receipt of electronic notice from the Court regarding the filing of plaintiffs' Objections, miscalculated the due date for defendants' reply when entering said date in his diary.

2. This Motion is ASSENTED TO by the pro se plaintiffs.

WHEREFORE, for the reasons set forth above, the School defendants request that the Court extend the time within which they may reply to plaintiffs' Objections to Magistrate Judge Alexander's Report and Recommendations, by an additional three (3) days, up to and including March 2, 2006, and that the Court accept for filing the School defendants' Reply to said Objections, attached hereto as Exhibit "A."

The Defendants,
DOREEN R. KELLY, BARRY L. MINTZER,
JEAN CURTIS LOUD, ROBERT L. DOYLE,
DONNA KYED, MARGARET VERRET, JOAN
BERNHEIMER, JUDI ALBERTON, CLAIRE
JACKSON

By their attorneys,
PIERCE, DAVIS & PERRITANO, LLP

/s/ John J. Davis
John J. Davis, BBO #115890
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Certificate of Compliance With Local Rule 7.1(A)(2)

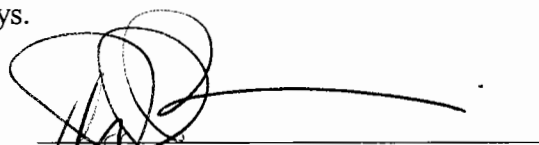
Counsel for the School defendants hereby certifies that, on March 2, 2006, he conferred with *pro se* plaintiff, Ms. Juliet Alexander, and that Ms. Alexander gave plaintiffs' assent to the School defendants' Motion to Extend the Time Within Which They May Reply to Plaintiffs' Objections by an Additional Three (3) Days.

Date: March 2, 2006

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Pleading on all parties by mailing same, postage Prepaid, to all counsel of record and *pro se* plaintiffs Signed under the pains and penalties of perjury.

DATED: 3/2/06


John J. Davis, Esq.